

**IN THE UNITED STATES DISTRICT COURT FOR  
THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

**BOARD OF TRUSTEES, SHEET  
METAL WORKERS' NATIONAL  
PENSION FUND, *et al.*,  
Plaintiffs,**

**v.**

**CRENSHAW & BURKE CONSTRUCTION  
INC., d/b/a CRENSHAW BROTHERS  
CONSTRUCTIONS, *et al.*,  
Defendant.**

**Civil Action No. 1:19-cv-561**

**ORDER**

On January 17, 2020, United States Magistrate Theresa Carroll Buchanan entered a Report and Recommendation (the "Report") in this case, recommending that default judgment be entered against Defendants Crenshaw & Burke Construction, Inc. d/b/a Crenshaw Brothers Construction, Inc. and Blue Rock Construction LLC f/k/a Crenshaw Brothers Construction, Inc. (the "Defendants") and in favor of Plaintiffs Board of Trustees for the Sheet Metal Workers' National Pension Fund, Board of Trustees for the International Training Institute for the Sheet Metal and Air Conditioning Industry, Board of Trustees for the National Stabilization Agreement of Sheet Metal Industry Trust Fund, Board of Trustees for the Sheet Metal Occupational Health Institute Trust, and Board of Trustees for the National Emergency Management Institute Committee (the "Plaintiffs").

Upon consideration of the record and Judge Buchanan's Report, to which no objections have been filed, and having found no clear error,<sup>1</sup>

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<sup>1</sup> See *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (in the absence

The Court **ADOPTS**, as its own, the findings of fact and recommendations of the United States Magistrate Judge, as set forth in the Report (Dkt. 18).

Accordingly,

It is hereby **ORDERED** that plaintiffs' motion for default judgment (Dkt. 14) is **GRANTED**.

It is further **ORDERED** that default judgment is entered against defendants and in favor of plaintiffs in the amount of \$29,225.48, which consists of (i) \$7,097.79 in unpaid contributions, (ii) \$7,737.07 in liquidated damages, (iii) \$6,686.71 in accrued interest, (iv) \$1,361.41 in audit-testing fees, and (v) \$6,342.50 in attorney's fees.

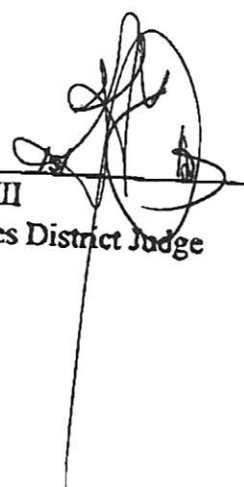
The Clerk of the Court is directed to enter Rule 58 judgment against Defendants Crenshaw & Burke Construction, Inc. d/b/a Crenshaw Brothers Construction, Inc. and Blue Rock Construction LLC f/k/a Crenshaw Brothers Construction, Inc. and in favor of Plaintiffs Board of Trustees for the Sheet Metal Workers' National Pension Fund, Board of Trustees for the International Training Institute for the Sheet Metal and Air Conditioning Industry, Board of Trustees for the National Stabilization Agreement of Sheet Metal Industry Trust Fund, Board of Trustees for the Sheet Metal Occupational Health Institute Trust, and Board of Trustees for the National Emergency Management Institute Committee in the amount of \$29,225.48 as described above.

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of any objections to a magistrate's report, the court "need not conduct a *de novo* review, but instead must 'only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.'").

The Clerk is further directed to provide a copy of this Order to all counsel of record, and to place this matter among the ended causes.

Alexandria, Virginia  
February 3, 2020



T. S. Ellis, III  
United States District Judge